

ERIC C. BELLAFRONTO, Bar No. 162102
SUZANNE R. NESTOR, Bar No. 217984
LITTLER MENDELSON
A Professional Corporation
50 W. San Fernando, 15th Floor
San Jose, CA 95113.2303
Telephone: 408.998.4150

Attorneys for Defendant
BD BIOSCIENCES, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

MARION BRADSHAW,
Plaintiff,

v.

BD BIOSCIENCES, INC.,
Defendant.

Case No. CV 10-03391 (LHK)

**AMENDED STIPULATION AND ORDER
CONTINUING EARLY NEUTRAL
EVALUATION DEADLINE**

Pursuant to Federal Rules of Evidence 15(a)(3) and 16(b)(4), Plaintiff Marion Bradshaw and Defendant BD Biosciences, Inc. hereby stipulate and agree as follows:

WHEREAS, Plaintiff and Defendant have agreed that it is in the interest of both parties to conserve both the Parties' and the Court's resources and attempt to resolve the matter through early Early Neutral Evaluation/Mediation;

WHEREAS, pursuant to the Court's Order requiring the Parties to complete ENE/Mediation by March 3, 2011, Counsel made all diligent efforts to schedule an ENE/Mediation session with the assigned evaluator, Raymond Wheeler, for a date prior to the March 3, 2011 deadline. Due to calendar conflicts among counsel, the parties, and the evaluator, however, the Parties were unable to do so;

WHEREAS, the Parties have agreed to participate in an ENE/Mediation on March 16, 2011, the earliest date on which all party representatives, counsel, and the evaluator are available;

1 **NOW, THEREFORE, THE PARTIES HEREBY STIPULATE AND AGREE,**
2 and based on the foregoing circumstances, request that the Court establish the following modified
3 deadlines:

- 4 • Parties to complete ENE/Mediation by March 16, 2011;
- 5 • All prior modifications, if any, to the Scheduling to remain in effect unless
6 ordered otherwise.

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8 Dated: February 4, 2011

/s/

ERIC C. BELLAFRONTO
LITTLER MENDELSON, APC
Attorneys for Defendant BD BIOSCIENCES, INC.

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11 Dated: February 4, 2011

/s/

STEVEN P. COHN, ESQ.
ADVOCACY CENTER FOR EMPLOYMENT LAW
Attorney for Plaintiff MARION BRADSHAW

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15 GOOD CAUSE APPEARING THEREFORE, IT IS SO ORDERED.

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17 Dated: February 8, 2011



LUCY H. KOH
United States District Judge